

INTERNATIONAL SEARCH REPORT

International application No.
PCT/CA2004/001724

A. CLASSIFICATION OF SUBJECT MATTER

A61K 35/78 A61P 39/06 A61P 29/00 A23L 1/30

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

A61K A61P A23L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base, and, where practicable, search terms used)

Delphion, CaPlus, Medline, Biosis, PubMed, Canadian Patent Database

Keywords: thylakoid, oral, inflammation, oxygen

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|-----------|--|-----------------------|
| X | WO 01/49305 A2 (PURCELL, M.) 12 July 2001, whole document. | 1 to 9 |
| X | WO 03/004042 A1 (ANDERSEN, A., et al.) 16 January 2003, whole document. | 1 to 9 |
| X, P | BISSONNETTE, E. Y., et. al., "PCT-233, a novel modulator of pro- and anti-inflammatory cytokine production", CLIN EXP IMMUNOL. March 2004. Vol. 135, No. 3, pages 440-447, whole document. | 1 to 9 |

Further documents are listed in the continuation of Box C.

X Patent family members are listed in annex.

| | |
|--|---|
| <p>* Special categories of cited documents :</p> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier application or patent but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> | <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"&" document member of the same patent family</p> |
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Date of the actual completion of the international search
08 December 2004 (08-12-2004)

Date of mailing of the international search report
14 February 2005 (14-02-2005)

Name and mailing address of the ISA/CA
Commissioner of Patents
Canadian Patent Office - PCT
Ottawa/Gatineau KIA 0C9
Facsimile No. 1-819-953-9538

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Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons :

1. ☒ Claims Nos. : 4 and 9
because they relate to subject matter not required to be searched by this Authority; namely :

Although claims 4 and 9 are methods of treatment of the human/animal body, which this Authority is not obliged to search under Rule 39.1(iv) of the PCT, the search has been carried out based on the alleged effects of the purified thylakoids defined in claims 4 and 9.
2. ☐ Claims Nos. :
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically :
3. ☐ Claims Nos. :
because they are dependant claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observation where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows :

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos. :
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos. :

Remark on Protest ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

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PCT/CA2004/001724

| Patent Document Cited in Search Report | Publication Date | Patent Family Member(s) | Publication Date |
|---|---------------------|----------------------------|---------------------|
| WO0149305 A2 | 12-07-2001 | AU2335501 A | 16-07-2001 |
| | | CA2293852 A1 | 30-06-2001 |
| | | CA2393816 A1 | 12-07-2001 |
| | | EP1242104 A2 | 25-09-2002 |
| | | JP2003519191T T | 17-06-2003 |
| | | US2003175374 A1 | 18-09-2003 |
| | | WO0149305 A2 | 12-07-2001 |
| WO03004042 A1 | 16-01-2003 | CA2381830 A1 | 15-10-2003 |
| | | CA2450833 A1 | 16-01-2003 |
| | | EP1401463 A1 | 31-03-2004 |
| | | WO03004042 A1 | 16-01-2003 |